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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete If Known

Application Number	10/766,124
Filing Date	January 28, 2004
First Named Inventor	Jane Hirsh
Group Art Unit	
Examiner Name	
Attorney Docket Number	CP 108

Sheet 1 of 18

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	US Patent Document		Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
/N.M.W./		3,948,254		Zaffaroni	04-06-1976	
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		4,069,307		Higuchi, et al.	01-17-1978	
		4,093,709		Choi, et al.	08-06-1978	
		4,122,157		Huber	10-24-1978	
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		4,142,526		Zaffaroni	03-06-1979	
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		4,249,531		Heller, et al.	02-10-1981	
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		4,264,573		Powell, et al.	04-28-1981	
		4,304,232		Michaels	12-08-1981	
		4,308,251		Dunn, et al.	12-29-1981	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁴
		Office ³	Number ²	Kind Code ² (if known)				
/N.M.W./		EP	0 171 528		Pennwalt Corporation	02-19-1986		
		EP	0 254 811		Fisons Corporation	02-03-1988		
		EP	0 254 822		Pennwalt Corporation	02-03-1988		
		PCT	WO 95/22521		Asahi Chemical Ind.	08-24-1995	Abstract only	
		PCT	WO 97/33880		Eli Lilly and Co.	09-18-1997		
		PCT	WO 98/08495		Pierre Fabre Medicament	03-05-1998		
		PCT	WO 99/26386		Eli Lilly and Co.	05-25-1999	no copy provided	
		PCT	WO 01/26623		Laxdale Ltd.	04-19-2001		
/N.M.W./		PCT	WO 02/060428		Sepracor, Inc.	08-08-2002		

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/N.M.W./		4,322,311		Lim, et al.	05-30-1982	
		4,346,709		Schmitt	08-31-1982	
		4,353,887		Hess, et al.	10-12-1982	
		4,367,741		Michaels	01-11-1983	
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		4,455,144		Michaels	06-19-1984	
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		4,508,702		Hsiao	04-02-1985	
		4,520,009		Dunn	05-28-1985	
		4,524,060		Mughal, et al.	06-18-1985	
		4,540,566		Davis, et al.	09-10-1985	
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		4,557,925		Lindahl, et al.	21-10-1985	
		4,571,333		Hsiao, et al.	02-18-1986	
		4,587,118		Hsiao	05-06-1986	
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		4,634,587		Hsiao	01-06-1987	

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		Number	Kind Code ² (if known)				
N.M.W./		4,649,043		Urquhart, et al.	03-10-1987		
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		4,800,083		Horn, et al.	01-24-1989		
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		Number	Kind Code* (if known)		
/N.M.W./		4,824,678		Lindahl, et al.	04-25-1989
		4,832,957		Dempski, et al.	05-23-1989
		4,837,032		Ortega	06-06-1989
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		Filing Date	January 28, 2004
		First Named Inventor	Jane Hirsh
		Group Art Unit	
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Sheet 5 of 18	Attorney Docket Number	CP 108	

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		Number	Kind Code ² (if known)			
/N/M.W./		5,234,693		Magruder, et al.	08-10-1993	
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V		5,393,765		Infeld, et al.	02-28-1995	
		5,397,574		Chen	03-14-1995	
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N.M.W./		5,419,918		Lundberg	05-30-1995		
		5,424,289		Yang, et al.	06-13-1995		
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		5,455,046		Baichwal	10-03-1995		
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	N.M.W./		5,578,321		Sherman	11-26-1996	
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Examiner Initials*	Cite No. ¹	US Patent Document		Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/766,124
		Filing Date	January 28, 2004
		First Named Inventor	Jane Hirsh
		Group Art Unit	
		Examiner Name	
Sheet	9	of	18
		Attorney Docket Number	CP 108

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N M W /		5,736,159		Chen, et al.	04-07-1998	
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/N.M.W./		6,030,642		Horacek	02-29-2000	
		6,033,685		Qiu, et al.	03-07-2000	
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		First Named Inventor	Jane Hirsh		
		Group Art Unit			
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Sheet	13	of	18	Attorney Docket Number	CP 108

OTHER ART - NON PATENT LITERATURE DOCUMENTS

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/N.M.W./		Cypress Bioscience, Inc., "Cypress Bioscience Inc. announces final results of milnacipran phase II clinical trial in fibromyalgia," March 21, 2003 Media Release, www.cypressbio.com .	
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Sheet	15	of	18	Attorney Docket Number		CP 108

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/N.M.W./		HUFFMAN, et al., "Lithium alkoxides of cinchona alkaloids as chiral controllers for enantioselective acetylide addition to cyclic N-acyl ketimines," <i>J. Org. Chem.</i> 60: 1590-1594 (1995).	
		JACQUES, et al., eds., Enantiomers, Racemates and Resolutions, John Wiley & Sons (1994). Only title page & Table of contents provided	
/N.M.W./		LEINONEN, "Long-term efficacy and safety of milnacipran compared to clomipramine in patients with major depression," <i>Acta Psychiatr. Scand.</i> 96: 497-504 (1997).	
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/N.M.W./		LOPEZ-IBOR, et al., "Milnacipran and selective serotonin reuptake inhibitors in major depression," <i>Int. Clin. Psychopharm.</i> 11 (Suppl. 4): 41-46 (1996).	
		MOCHIZUKI, et al., "Neurochemical and behavioural characterization of milnacipran, a serotonin and noradrenaline reuptake inhibitor in rats," <i>Psychopharmacology</i> 162: 323-332 (2002).	
		MORET & BRILEY, "Effects of milnacipran and pindolol on extracellular noradrenaline and serotonin levels in guinea pig hypothalamus," <i>J. Neurochem.</i> 69(2): 815-822 (1997).	
		MORET, et al., "Biochemical profile of midalcipran (F 2207), 1-phenyl-1-diethyl-aminocarbonyl-2-aminomethyl-cyclopropane (Z) hydrochloride, a potential fourth generation antidepressant drug," <i>Neuropharmacology</i> 24(12): 1211-1219 (1985).	
/N.M.W./		MUGNAINI, et al., "Receptor binding characteristics of the novel NMDA receptor glycine site antagonist [3H]GV150526A in rat cerebral cortical membranes," <i>Eur. J. Pharmacol.</i> 391: 233-241 (2000).	

Examiner's Signature	/Nissa Westerberg/	Date Considered	09/14/2007
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/766,124
		Filing Date	January 28, 2004
		First Named Inventor	Jane Hirsh
		Group Art Unit	
		Examiner Name	
Sheet	16	of	18
		Attorney Docket Number	CP 108

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/N.M.W./		NALIBOFF, et al., "Evidence for two distinct perceptual alterations in irritable bowel syndrome," <i>Gut</i> 41: 505-512 (1997).	
		PALMIER, et al., "Monoamine uptake inhibition by plasma from healthy volunteers after single oral doses of the antidepressant milnacipran," <i>Eur. J. Clin. Pharmacol.</i> 37(3): 235-238 (1989).	
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/N.M.W./		SHUTO, et al., "(1S,2R)-1-Phenyl-2-[(S)-1-aminopropyl]-N,N-diethylcyclopropanecarboxamide (PPDC), a new class of NMDA-receptor antagonist: molecular design by a novel conformational restriction strategy," <i>Jpn. J. Pharmacol.</i> 85: 207-213 (2001).	

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		Application Number	10/766,124		
		Filing Date	January 28, 2004		
		First Named Inventor	Jane Hirsh		
		Group Art Unit			
Examiner Name					
Sheet	17	of	18	Attorney Docket Number	CP 108

OTHER ART -- NON PATENT LITERATURE DOCUMENTS		
Examiner's Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
/N.M.W./		SHUTO, et al., "Synthesis and biological activity of conformationally restricted analogs of milnacipran: (1S,2R)-1-phenyl-2-[(S)-1-aminopropyl]-N,N-diethylcyclopropanecarboxamide, an efficient noncompetitive N-methyl-D-aspartic acid receptor antagonist," <i>J. Med. Chem.</i> 39: 4844-4852 (1996).
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/N.M.W./		VIAZZO, et al., "Microbiological transformations 34: enantioselective hydrolysis of a key-lactone involved in the synthesis of the antidepressant milnacipran," <i>Tetrahedron Lett.</i> 37(26): 4519-4522 (1996).

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		Application Number	10/766,124		
		Filing Date	January 28, 2004		
		First Named Inventor	Jane Hirsh		
		Group Art Unit			
		Examiner Name			
Sheet	18	of	18	Attorney Docket Number	CP 108

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/N.M.W./		VON FRENCKELL, et al., "Pooling two controlled comparisons of milnacipran (F2207) and amitriptyline in endogenous inpatients. A new approach in dose ranging studies," <i>Int. Clin. Psychopharmacol.</i> 5: 49-56 (1990).	
		WILDING, "The role of gamma-scintigraphy in oral drug delivery," <i>Drug Deliv. Rev.</i> 46: 103-124 (2001).	
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Examiner's Signature	/Nissa Westerberg/	Date Considered	09/14/2007
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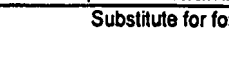
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				Application Number	10766,124
				Filing Date	January 28, 2004
				First Named Inventor	Jane Hirsh
				Group Art Unit	
				Examiner Name	
				Attorney Docket Number	CP 108
Sheet	1	of	1		

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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**Complete If Known**

Application Number		10766,124
Filing Date		January 28, 2004
First Named Inventor		Jane Hirsh
Group Art Unit		1615
Examiner Name		Thurman K. Page
Attorney Docket Number		CP 108

Sheet	1	of	2
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U.S. PATENT DOCUMENTS

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		Number	Kind Code ² (if known)			
/N.M.W./		2004/0228830		Hirsh, et al.	11-18-2004	
		3,686,164		Unger, et al.	08-22-1972	
		4,650,827		Becker, et al.	03-17-1987	
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		5,296,228		Chang, et al.	03-22-1994	
		5,368,852		Umemoto, et al.	11-29-1994	
		5,968,551		Oshlack, et al.	10-19-1999	
		5,980,882		Eichman	11-09-1999	
/N.M.W./		6,444,647		Robinson, et al.	09-03-2002	

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		Office. ³	Number ⁴	Kind Code ⁵ (if known)				

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Sheet <u>2</u> of <u>2</u>				Application Number	10/766,124
				Filing Date	January 28, 2004
				First Named Inventor	Jane Hirsh
				Group Art Unit	1615
				Examiner Name	Thurman K. Page
				Attorney Docket Number	CP 108

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